

State Water Resources Control Board

December 16, 2016

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7015 1520 0001 8017 1238

Mr. Greg Kibby
Maintenance Supervisor
Dana Point Marina Harbor Patrol
24650 Dana Point Harbor Drive
Dana Point, CA 92629
gskibby@ocsd.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT DANA POINT MARINA HARBOR PATROL, 25005 DANA DRIVE,
DANA POINT**

Dear Mr. Kibby:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on December 7, 2016, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Owner/Operator Agreement – The tank owner and tank operator are not the same. A written owner/operator agreement was not available in CERS or onsite at the time of the inspection.	Unleaded	December 7, 2016	Ongoing	H&SC 25284(a)(3); 23 CCR 2620(b)
2	Failure to Tag Monitoring Equipment – The tank annular sensor did not have a current monitoring certification tag in a readily visible location.	Unleaded	December 7, 2016	Ongoing	23 CCR 2638(f)
3	Failure to Monitor Product Piping – The dispenser sensor located in the reel housing was unable to detect a leak at the earliest opportunity because absorbent pads were lining the bottom of the reel housing. Corrected at time of inspection.	Unleaded	December 7, 2016	December 7, 2016	23 CCR 2630(d)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Orange County Health Care Agency within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Will Speth
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, 23rd Floor
Sacramento, California 95814
will.speth@waterboards.ca.gov

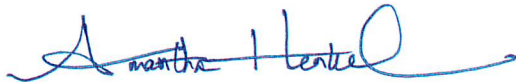
Local CUPA

Ms. Christine Lane
Program Manager
Orange County Health Care Agency
1241 East Dyer Road, #120
Santa Ana, California 92705
clane@ochca.com

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: (via email only)

Ms. Christine Lane, REHS
Program Manager
Orange County Health Care Agency
clane@ochca.com

Mr. Justin Hill
Mechanic
County of Orange
jhill@ocsd.org

Ms. Polin Modanlou
Building Manager
County of Orange
polin.madanlour@ocpw.ocgov.gov